

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 09-50600

JAMES EDWARD BROADNAX, *pro se*, and  
SHARALECE LASHARAYLL BROADNAX,  
*pro se*,  
Debtors.

Chapter 7

Judge Thomas J. Tucker

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***AMENDED ORDER CONDITIONALLY DISSOLVING SHOW CAUSE ORDER  
(REGARDING FILING FEES)***

This case came before the Court for a hearing on May 20, 2009 on the Court's "Order Requiring Debtors To Appear And Show Cause Why This Case Should Not Be Dismissed For Debtors' Failure To Pay Filing Fees In Case Nos. 09-45989; 09-44163; And 05-62944," filed on May 1, 2009 (Docket # 30). The Debtors appeared at the show-cause hearing. After the hearing, and for the reasons stated by the Court on the record at the hearing, the Court entered an order on May 20, 2009 conditionally dissolving the show cause order (Docket # 36).

This amended order adds the following information to the original order, but does not change the requirements of the original order, which are restated below.

At the May 20, 2009 show-cause hearing, the Debtors claimed that in their 2005 bankruptcy case (Case No. 05-62944), they paid \$209.00 to their attorney, William Lewis, to be used for payment of the filing fee. In response, the Court stated that it would review the Rule 2016(b) statement in the Court's file in the 2005 case, to see whether it confirmed or refuted Debtors' claim. (The file was stored in archives in Chicago, so the Court had to order the file returned to Detroit.) The Court has now conducted that review; specifically, the Court has reviewed the Rule 2016(b) statement filed on July 20, 2005 in Case No. 05-62944 (Docket # 1).

A copy of that document is attached to this Amended Order for reference. It appears to have been signed by both of the Debtors, and at Item nos. 2(B) and 3, it indicates that the Debtors had paid no money to attorney William Lewis for that case, for attorney fees or for the filing fee.

For these reasons, the Court will not change the requirements of its original Order conditionally dissolving the show cause order (Docket # 36). Accordingly, and as previously ordered in the Court's May 20, 2009 Order,

IT IS ORDERED that the Court's May 1, 2009 Show-Cause Order (Docket # 30) is dissolved, on the following condition. Debtor must pay the remaining \$807.00 owing for the filing fees for Case Nos. 09-45989 (\$299.00), 09-44163 (\$299.00), and 05-62944 (\$209.00), no later than **July 13, 2009**.

IT IS FURTHER ORDERED that if Debtors fail to pay \$807.00 on or before, July 13, 2009, the Court may dismiss this case without further notice or hearing.

**Signed on June 26, 2009**

/s/ Thomas J. Tucker

**Thomas J. Tucker**  
**United States Bankruptcy Judge**

United States Bankruptcy Court  
Eastern District of Michigan

CASE ASSIGNED  
TO JUDGE TUCKER

05-62944

In re JAMES E. BROADNAX  
SHARALECE L. BROADNAX

Debtor(s)

Case No.

Chapter 13

STATEMENT OF ATTORNEY FOR DEBTOR(S)  
PURSUANT TO F.R.BANKR.P. 2016(b)

The undersigned, pursuant to F.R.Bankr.P. 2016(b), states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is: [Check one]  
☒ **FLAT FEE**
  - A. For legal services rendered in contemplation of and in connection with this case, exclusive of the filing fee paid ..... 1,600.00
  - B. Prior to filing this statement, received ..... 0.00
  - C. The unpaid balance due and payable is ..... 1,600.00☐ **RETAINER**
  - A. Amount of retainer received .....
  - B. The undersigned shall bill against the retainer at an hourly rate of \$\_\_\_\_. [Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.
3. \$ 0.00 of the filing fee has been paid.
4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: [Cross out any that do not apply.]
  - A. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - B. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - C. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - D. ~~Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
  - E. Reaffirmations;
  - F. Redemptions;
  - G. Other: **Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.**
5. By agreement with the debtor(s), the above-disclosed fee does not include the following services:  
**Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.**
6. The source of payments to the undersigned was from:
  - A. XX Debtor(s)' earnings, wages, compensation for services performed;
  - B. \_\_\_\_\_ Other (describe, including the identity of payor): \_\_\_\_\_
7. The undersigned has not shared or agreed to share, with any other person, firm or corporation, any compensation paid or to be paid except as follows.

Pursuant to District Court Order

KURT THORNBLOTH P25858

Dated:

July 14, 2005

Agreed:

James E. Broadnax  
Debtor JAMES E. BROADNAX

Sharalece L. Broadnax  
Joint Debtor (if any) SHARALECE L. BROADNAX

William S. Lewis  
Attorney for the Debtor(s)  
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